

REMARKS

Claims 1-10 are pending.

In the Office Action dated June 16, 2010, claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sarkkinen (U.S. Patent Publication No. 2004/0102212) and further in view of Panchal (U.S. Patent No. 6,519,239).

REJECTION UNDER 35 U.S.C. § 103

Rejection over Sarkkinen in view of Panchal

Claims 1, 5 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sarkkinen and further in view of Panchal because the Office Action asserted

“consider claims 1, 5 and 8, discloses a method, means and a wireless station for providing a service to wireless stations through a telecommunication network, the service being identified by a unique service identifier (e.g. IP address of MBMS service) stored in the telecommunications network and at least one subscriber station among said wireless stations (UEs 12, 14) the method comprising the steps of”:

- 1. “determining a paging identifier (e.g. identifier of UEs 12, 14 such as address/IMSI as known in the art);”*
- 2. “associating said subscriber station with the determined paging identifier (the subscriber stations UEs 12, 14 need to be programmed with an identifier/address/IMSI to communicate with the network)” and*
- 3. “prior to transmitting information pertaining to the service over a broadcast channel, transmitting a paging message incorporating said paging identifier to the wireless stations (notifications are issued to UEs 12, 14 in idle mode, indicating the MBMS service provision, paragraph 64)”.*

To establish *prima facie* obviousness, the Patent Office must show that each and every element of the claim is taught or suggested in the combination of references. M.P.E.P. § 2143.03.

Here it is respectfully submitted that the obviousness rejection is defective for the following reasons:

Under no. 1 and no. 2 the Office Action lists the address/IMSI as a paging identifier. Those parameters however are not related to provide the service through the telecommunications network itself but rather constitute the basics of establishing a wireless connection itself which is providing the basic infrastructure to provide the service that is provided through the communication network and identified by the Office Action as MBMS service.

Neither the IMSI nor the identifier/address/IMSI are related to provision of the MBMS service. Instead they are related to provide the basic telecommunication network and the establishment of corresponding connections in the telecommunications network. Consequently the IMSI is not the identifier of the service that is provided through a telecommunications network and rather is related to the telecommunications network and the user equipment itself.

Thus it is respectfully submitted that the Office Action mixes two identifiers, namely the ones related to the mobile device and the ones related to the MBMS service, as the Office Action uses the unique identifier of the mobile device in the same manner as the unique identifier of the service that is provided, namely the MBMS service. However, IMSI is not the identification of the MBMS service but is rather the identification of the mobile device in the mobile network and thus a different issue because the IMSI is not a service identifier but the identifier of a mobile device.

In particular Sarkkinen does not teach that the paging identifier and the service identifier are related in any way as claimed in feature 1, which is a feature of the instant invention as the instant invention has it as an object to overcome a

“limitation by optimizing the delivery of broadcast or multicast types of services (page 1 lines 29 and 30). Accordingly “*The invention provides a paging announcement of a starting transmission pertaining to a service identified by means of a hash of a data string including a unique identifier of the service*” (page 2 lines 5-7).

In this manner the instant invention *“limits the radio interference and reduces the processing accomplished by the idle stations and hence their power consumption”* (page 1, lines 26-28).

None of these issues are taught mentioned or solved by Sarkkinen.

Especially Sarkkinen does not teach above feature 3 of the instant invention transmitting a paging message incorporating the paging identifier to the wireless station. Note that according to the instant invention the paging identifier must include service related information.

Contrary to that Sarkkinen at plural locations teaches the skilled person to do the opposite of the instant invention. Namely Sarkkinen teaches *“A network controlling device being arranged to forward to said data network a service indication received via said terminal connection”* (paragraph [0021] lines 4 and 5). Moreover, Sarkkinen teaches that *“According to a first option the service indication may be forwarded in a dedicated service indication message or alternatively may be forwarded in a message used for signalling a connection request or a connection completion of the terminal connection”* (paragraphs [0023], [0024]). Accordingly *“the network controlling device may be arranged to extract the service indication from the connection request or the connection complete message or from a dedicated message”* (paragraph [0033]). According to Sarkkinen more precisely *“the UE indicates to the RNC, which MBMS service(s) is the cause of the establishment of the RRC connection”* (paragraph [0056] last three lines).

Moreover, Sarkkinen teaches *“A new access stratum (NAS) message is introduced which contains all the necessary information, and which is sent from the concerned UE to the SGSN 40 by using a direct transfer (DT) message”* (see paragraph [0062] lines 12-14).

The above listed text passages of Sarkkinen are only examples and clearly show that Sarkkinen can not be used to render the independent claims 1, 5 and 8 of the instant invention obvious as Sarkkinen contrary to the instant invention teaches to transmit the service identifying information from the user equipment to the network and not from the network to the user equipment in a paging message, as claimed by the instant invention.

As the Office Action further acknowledged Sarkkinen *“does not expressly disclose applying a hash function to a data string including at least part of the unique*

service identifier” (page 3 lines 1 and 2). Indeed Sarkkinen discloses a complete different principle namely *“linking a service context of a terminal connection in a network controlling device of a data network”* (Abstract lines 2 and 3). However, the Office Action relied on Panchal disclosing *“applying a hash function to a data string including at least part of the unique service identifier (a hashing algorithm is applied to the dispatched identifier 201, column 4 lines 4-9)”*.

It is respectfully submitted that this interpretation of Panchal is erroneous for the following reasons:

The dispatch identifier of Panchal is no service identifier. In this context Panchal teaches *“a first dispatch identifier that identifies a dispatch group of which the communication unit is a member”* (column 2 lines 33-35). Consequently Panchal teaches no service identifier. Moreover, Panchal does not teach above feature 1 and in particular determining a paging identifier based on applying a hash function to a service identifier for the following reasons:

Panchal discloses *“With regard again to Fig. 1 base site 101 receives the dispatch call request from communication unit 104, and determines a paging resource 113 using the dispatch identifier of the target from the core request. Preferably the paging resource comprises a paging channel and a paging slot that are derived by applying the IS-95 hashing algorithm to the dispatch identifier in the same manner the algorithm is applied to the International Mobile Station Identity (IMSI) under the IS-95 standard”* (column 4 lines 1-8).

However, a paging slot and a paging channel are not a paging identifier.

Thus, even if the teachings of Sarkkinen and Panchal were hypothetically to be combined this combination would at least not teach features 1 to 3 as listed above of claims 1, 5 and 8 of the instant invention.

Therefore, it is respectfully submitted that the obviousness rejection is defective for at least this reason. It is respectfully submitted that the obviousness rejection be withdrawn.

Corresponding arguments as discussed above apply to dependent claims 2 to 4, 6 and 7 as well as 9 and 10 depending on either of the independent claims, as the dependent

claims also contain features 1 to 3 not rendered obvious by the prior art listed in the Office Action.

CONCLUSION

Dependent claims are allowable for at least the same reasons as corresponding independent claims. In view of the defective obviousness rejection of base claims, it is respectfully submitted, that the obviousness rejections of dependent claims are also defective.

Allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-1315 (15975ID).

Respectfully submitted,

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